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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *21 December 2006*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-55* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-55* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *23 July 2001* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some * c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In response to the office action from 7/19/2006, the applicant has submitted an

amendment, filed 12/21/2006, amending claims 1, 25, and 49, while arguing to traverse the art

rejection based on the amended limitations *(Amendment, Page 22)*. The applicant's arguments

have been fully considered but are moot with respect to the new grounds of rejection applied to

claims 1, 25, and 49, necessitated by the amended claims and in further view of the previously

presented prior art, Houser et al *(U.S. Patent: 5,774,859)*.

Claim Rejections - 35 USC § 101

2.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

3.   **Claims 25-49 and 51** are rejected under 35 U.S.C. 101 because the claimed invention is

directed to non-statutory subject matter.

Claim 49 is drawn to a "software program" data structure *per se*, stored on a "storage"

medium, as recited in the preamble.   Also, the body of the claim is directed to the software data

structure *(see preamble- "said software program includes")* and not the method that is

performed when the software is executed by a computer. For these reasons, this claim is directed

to non-statutory subject matter. See MPEP § 2106.IV.B.1.a.

Data structures not claimed as embodied in <u>computer</u> readable media are descriptive

material *per se* and are not statutory because they are not capable of causing functional change in

the <u>computer</u>. See, e.g., *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 (claim to a data

structure *per se* held nonstatutory). Such claimed data structures do not define any structural and

functional interrelationships between the data structure and other claimed aspects of the

invention, which permit the data structure's functionality to be realized. In contrast, a claimed

<u>computer</u> readable medium <u>encoded</u> with a data structure defines structural and functional

interrelationships between the data structure and the computer software and hardware

components which permit the data structure's functionality to be realized, and is thus statutory.

Similarly, computer programs claimed as computer listings *per se*, i.e., the descriptions or

expressions of the programs are not physical "things." They are neither computer components

nor statutory processes, as they are not "acts" being performed. Such claimed computer

programs do not define any structural and functional interrelationships between the <u>computer</u>

program and other claimed elements of a <u>computer</u>, which permit the computer program's

functionality to be realized.

Although **claim 25** is directed to a seemingly patentable process, featuring interactive

operation steps identical to those recited in claim 49, this claim is directed towards non-

functional descriptive material (i.e., data structure description) as evidenced by Claim 49. Claim

49 indicates that these steps are part of program instructions. In claim 25, this data structure is

not stored on a <u>computer</u> readable medium that enables the data structure's functionality to be

realized when executed by a computer to achieve a "useful, concrete, and tangible result" *(see*

above). Thus, claim 25 is directed to non-statutory subject matter, for the same reasons as claim 49.

Dependent claims 26-48 and 51 fail to overcome the 35 U.S.C. 101 rejection directed towards the independent claims, and thus, these claims are also directed to non-statutory subject matter.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   **Claims 1-6, 9, 11-12, 17, 19, 22-30, 33, 35-36, 41, 43, 46-49, and 52-55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al *(U.S. Patent: 5,983,190)* in view of Kawamoto et al *(U.S. Patent: 5,367,454)*, and in further view of Houser et al *(U.S. Patent: 5,774,859)*.

With respect to **Claims 1, 25, and 49**, Trower discloses:

An assistant control means for generating a personified assistant and making said assistant appear on a screen of said display unit *(Fig. 2, Element 60)*;

An output speech control means for determining speech required for said assistant to output said assistant's speech to the outside through said speech output unit after speech

synthesis *(determining an appropriate response to a speech input and performing speech synthesis, Col. 23, Lines 36-60; and speakers, Col. 4, Lines 20-34)*;

An input speech recognition means for recognizing user's voice as a speech inputted through said speech input unit *(recognition engine for recognizing a speech input, Col. 6, Line 62- Col. 7, Line 12, and Fig. 3, Element 118)*;

An interaction management means for managing interaction between said assistant and said user according to said assistant's speech determined by said output speech control means and said user speech recognized by said input speech recognition means *(maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29)*; and

A command interpreting means for specifying a user's intention or specifying said inputted user command based on a content of interaction traced by said interaction management means *(spoken command recognition and maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29)*.

Trower also discloses a computer readable medium for storage of a program implementing the above method *(Col. 4, Lines 8-19)*.

Trower fails to explicitly teach or fairly suggest generating an ambient state enabling a animated personified assistant to act as if urging the user to input speech commands when an interactive system is in a waiting state, however Kawamoto teaches such an ambient state generating means *(waiting action taken by an animated agent when no user utterance is detected comprising an anger animation and repeating an utterance request, Col. 5, Line 60- Col. 6, Line 18, wherein an utterance is accepted and processed via a speech recognizer, Col. 4, Lines 21- 34)*.

Trower and Kawamoto are analogous art because they are from a similar field of endeavor in interactive speech recognition systems having animated characters. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower with the means of generating appropriate actions when a interactive speech system is in a waiting state as taught by Kawamoto in order to greatly enhance the exchange of intentions between a user and an animated agent *(Kawamoto, Col. 9, Lines 8-19)*.

Trower in view of Kawamoto does not specifically suggest specific commands related to changing/selecting a channel, however Houser recites the concept of utilizing spoken language commands for changing/selecting channels *(Col. 14, Line 61- Col. 15, Line 27)*.

Trower, Kawamoto, and Houser are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of recognizing commands related to TV channel selection as taught by Houser with the speech command interface system and method utilizing an interactive animated character as taught by Trower in view of Kawamoto to increase speech command system functionality and usability by further adding the ability to perform and simplify common television related tasks *(Houser, Col. 1, Line 59- Col. 2, Line 16)*.

With respect to **Claims 2 and 26**, Trower recites:

Assistant control means determines an animation of said assistant based on a content of interaction managed by said interaction management means and/or an inputted user command specified by said command interpreting means *(playing an animation for a current command based upon a state resulting from a previous command, Col. 24, Lines 25-34, and a maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29)*.

With respect to **Claims 3 and 27**, Trower discloses:

Output speech control means determines an assistant's speech based on a content of

interaction managed by said interaction management means and/or an inputted user command

specified by said command interpreting means *(selection of an appropriate speech output in*

response to a user command, Col. 23, Lines 36-60, and a maintained list of available commands

for interaction, Col. 27, Line 5- Col. 28, Line 29).

With respect to **Claims 4 and 28**, Houser further recites:

Control means determines speech for leading a user's intention when said command

interpreting means fails to specify said user's intention or said inputted user command

(prompting a user to select an intended channel upon the occurrence of a command recognition

error, Col. 19, Lines 27-60).

With respect to **Claims 5 and 29**, Houser further discloses:

Command interpreting means also interprets a command for controlling a function of said

external apparatus including selection of a broadcast program channel and/or

recording/reproducing of said broadcast program *(Col. 30, Lines 26-42).*

With respect to **Claims 6 and 30**, Trower shows:

Communication means for connecting said system to a communication medium such as

an external network or a telephone line *(Fig. 11, Element 454)*, wherein said input speech

recognition means recognizes audio data received via said communication medium *(server,*

linked to multiple clients, featuring a speech recognition engine, Fig. 3, Element 118, and Col. 6,

Line 62- Col. 7, Line 12).

With respect to **Claims 9 and 33**, Trower shows:

Personified assistant is placed in a room scattered with various kinds of objects including

a link to an information resource *(Fig. 2, and Internet browser in a desktop space containing an*

animated character, Col. 4, Lines 54-67).

With respect to **Claims 11 and 35**, Trower recites:

Upon the command interpreting means interpreting an inputted user command, said

assistant control means makes said assistant appear on a screen of said display unit *(request for*

opening a character file, Col. 13, Lines 21-43).

With respect to **Claims 12 and 36**, Houser further discloses:

In response to said command interpreting means interpreting an inputted user command

as a channel selection command, control means shows a selected broadcasting program in a

display window *(channel information and selection commands, Col. 25, Line 38- Col. 26, Line*

6).

With respect to **Claims 17 and 41**, Houser additionally recites:

In response to said command interpreting means interpreting an inputted user command

as a channel change command, said assistant control means makes said assistant appear with a

list of changeable broadcasting programs arranged in a matrix shape *(viewing guide menu*

command used for channel selection, Col. 25, Line 33- Col. 26, Line 6, and Fig. 11).

With respect to **Claims 19 and 43**, Houser further discloses:

EPG distributed as part of data broadcast is applied for generating a list of broadcasting

programs in a matrix form *(Col. 25, Lines 33-64).*

With respect to **Claims 22 and 46**, Houser further discloses:

Communication means for connecting said system to a communication medium such as an external network or a telephone line, and a certifying means for certifying an information terminal connected to said system via said communication medium *(Fig. 2A, and EPG access authorization, Col. 25, Lines 33-37)*.

With respect to **Claims 23, 24, 47, and 48**, Houser discloses the viewing guide that displays program information as applied to Claims 17 and 41 and shown in Fig. 11.

With respect to **Claim 52**, Kawamoto additionally discloses:

The motions or act include a leading question *(asking a user to provide an input utterance, Col. 6, Lines 6-18)*.

With respect to **Claim 53**, Kawamoto additionally discloses:

The ambient state generating means enables said personified assistant to enter said wait state with words and/or utterances encouraging a response from said user *(spoken utterance request in response to user silence, Col. 6, Lines 14-18)*.

With respect to **Claim 54**, Kawamoto discloses the spoken utterance request in response to user silence as applied to Claim 53. Although Kawamoto does not explicitly state what words an utterance comprises, the examiner notes that it would be obvious within the scope of the teachings of Kawamoto that a re-prompt utterance would include "ah" and "well" because these are well known filler terms in the English language, which express regret. Since, a lack of a user response is an occasion for such feelings and Kawamoto is concerned with expressing the emotion of an animated character, it would be obvious to include such well-known and standard words in the utterance request taught by Kawamoto.

With respect to **Claim 55**, Kawamoto additionally discloses:

Gestures encouraging a response from the user (*spoken utterance request in response to user silence, Col. 6, Lines 14-18, wherein an utterance is accompanied by an animation, Col. 4, 53- Col. 5, Line 2*).

6.   **Claims 7, 8, 31, and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Kawamoto et al in view of Houser et al, and further in view of Lumelsky et al *(U.S. Patent: 6,081,780)*.

With respect to **Claims 7 and 31**, Trower in view of Kawamoto and further in view of Houser teaches the speech command interface system and method utilizing an interactive animated character, as applied to Claims 1 and 25. Trower also teaches the ability to access email utilizing a speech command *(Col. 28, Lines 20-29, and network connection, Fig. 11, Element 454)*, but does not specifically suggest that the animated character recites the content of a received email using a speech output means. However, Lumelsky discloses:

Communication means for connecting said system to a communication medium such as an external network and/or a telephone line, and a mail exchange means for making an exchange of electronic mails via said communication medium, wherein said output speech control means determines said assistant's speech based on a content of an incoming mail *(user request for speech synthesis of e-mails, Col. 20, Line 65- Col. 21, Line 16)*.

Trower, Kawamoto, Houser, and Lumelsky are analogous art because they are from a similar field of endeavor in speech-controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the ability to synthesize a received email as taught by Lumelsky with the speech command interface system and method

utilizing an interactive animated character taught by Trower in view of Kawamoto and further in

view of Houser to provide an alternate means of conveniently accessing email contents when a

user does not have a continual view of a display. Therefore, it would have been obvious to

combine Lumelsky with Trower in view of Kawamoto and further in view of Houser for the

benefit of providing an alternate means of conveniently accessing email contents.

With respect to **Claims 8 and 32**, Lumelsky further discloses:

Interaction management means manages an input speech of a user as a message bound for

another user, and said output speech control means determines said assistant's speech based on

said message *(playback of a voice mail attached to an email in response to a speech command,*

Col. 20, Line 58- Col. 21, Line 16).

7.   **Claims 10 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower

et al in view of Kawamoto, and further in view of Crow et al *(U.S. Patent: 6,262,724)*.

With respect to **Claims 10 and 34**, Trower in view of Kawamoto and further in view of

Houser teaches the speech command interface system and method utilizing an interactive

animated character located in a desktop space, as applied to Claims 9 and 33. Trower in view of

Kawamoto and further in view of Houser does not teach the display of a link containing musical

content in the display space, however Crow discloses:

Assistant control means places said personified assistant in a room scattered with various

kinds of objects including a link to an information resource, and in response to an interest of said

user in a recording medium including a link to a music content placed in said room, said

command interpreting means interprets an inputted user command as a command for playing

back said music content *(media files capable of being located on a desktop, Col. 9, Lines 52-56,*

and speech control of a media player, Col. 8, Line 55- Col. 9, Line 25).

Trower, Kawamoto, Houser, and Crow are analogous art because they are from a similar

field of endeavor in speech-controlled systems. Thus, it would have been obvious to a person of

ordinary skill in the art, at the time of invention, to combine the speech enabled media player

taught by Crow with the speech command interface system and method utilizing an interactive

animated character located in a desktop space taught by Trower in view of Kawamoto and

further in view of Houser in order to increase speech command system functionality and

usability by further adding the ability to control audio file playback using speech recognition

(Crow, Col. 2, Lines 58-60). Therefore, it would have been obvious to combine Crow with

Trower in view of Kawamoto and further in view of Houser for the benefit of increasing speech

command system and method usability.

8.   **Claims 13 and 37**are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower

et al in view of Kawamoto, further view of Houser et al, and yet further in view of Volk et al

(U.S. Patent: 5,687,331).

With respect to **Claims 13 and 37**, Trower in view of Kawamoto and further in view of

Houser teach the speech command interface system and method utilizing an interactive animated

character and featuring speech-initiated TV channel selection menus, as applied to Claims 12 and

36. ·Trower in view of Kawamoto, and further in view of Houser do not suggest the use of a

ring-based window placed around an animation for channel selection, however, Volk teaches

such a ring-shaped window for TV program selection *(Col. 12, Lines 29-40).*

Trower, Kawamoto, Houser, and Volk are analogous art because they are from a similar field of endeavor in interactive control systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in view of Kawamoto and further in view of Houser with the ring-shaped window for TV program selection as taught by Volk in order to provide a more communicative means of indicating focus in an interactive television environment *(Volk, Col. 6, Lines 26-37)*.

9.   **Claims 14 and 38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Kawamoto, further view of Houser et al, further in view of Volk et al, and yet further in view of Florin et al *(U.S. Patent: 5,583,560)*.

With respect to **Claims 14 and 38,** Trower in view of Kawamoto, further in view of Houser, and further in view of Volk teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 13 and 37. Trower in view of Kawamoto, further in view of Houser, and further in view of Volk does not teach the ability to zoom in on a selected channel, however Florin discloses a picture-in-picture window with the ability to jump to (zoom in on) the channel displayed in the window *(Col. 17, Lines 41-59, voice command means, Col. 12, Lines 59-67, and Figs. 20 and 21)*.

Trower, Kawamoto, Houser, Volk, and Florin are analogous art because they are from a similar field of endeavor in interactive controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of zooming in on a channel feature in a picture-in-picture window as taught by Florin with the speech command

interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information as taught by Trower in view of Kawamoto, further in view of Houser, and further in view of Volk to provide a convenient speech-enabled means of previewing and accessing a selected television channel, thus increasing system functionality. Therefore it would have been obvious to combine Florin with Trower in view of Kawamoto, in view of Houser, and further in view of Volk in order to provide a means to quickly jump between television programs *(Florin, Col. 17, Lines 41-59)*.

10.   **Claims 15 and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Kawamoto, further view of Houser et al, and yet further in view of Kanerva et al *(U.S. Patent: 6,026,416)*.

With respect to **Claims 15 and 39**, Trower in view of Kawamoto, and further in view of Houser teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 12 and 36. Trower in view of Kawamoto, and further in view of Houser does not suggest that the menus containing program information are shown in a binder on a display, however, Kanerva teaches such a binder display format *(Col. 6, Lines 8-38)*.

Trower, Kawamoto, Houser, and Kanerva are analogous art because they are from a similar field of endeavor in interactive control systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in view of Kawamoto and further in view of Houser with the binder display format taught by

Kanerva in order to provide a means for maintaining related data in an ordered format *(Kanerva, Col. 3, Lines 20-27).*

11.   **Claims 16 and 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Kawamoto, further view of Houser et al, further in view of Kanerva et al, and yet further in view of Florin et al *(U.S. Patent: 5,583,560).*

With respect to **Claims 16 and 40,** Trower in view of Kawamoto, further in view of Houser, and further in view of Kanerva teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 15 and 39. Trower in view of Kawamoto, further in view of Houser, and further in view of Kanerva does not teach the ability to zoom in on a selected channel, however Florin discloses a picture-in-picture window with the ability to jump to (zoom in on) the channel displayed in the window *(Col. 17, Lines 41-59, voice command means, Col. 12, Lines 59-67, and Figs. 20 and 21).*

Trower, Kawamoto, Houser, Kanerva, and Florin are analogous art because they are from a similar field of endeavor in interactive controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of zooming in on a channel feature in a picture-in-picture window as taught by Florin with the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information as taught by Trower in view of Kawamoto, further in view of Houser, and further in view of Kanerva to provide a convenient speech-enabled means of previewing and accessing a selected television

channel, thus increasing system functionality. Therefore it would have been obvious to combine

Florin with Trower in view of Kawamoto, in view of Houser, and further in view of Kanerva in

order to provide a means to quickly jump between television programs *(Florin, Col. 17, Lines*

41-59).

12.   **Claims 18 and 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower

et al in view of Kawamoto, in further view of Houser et al, and yet further in view of Florin et al

(U.S. Patent: 5,583,560).

With respect to **Claims 18 and 42**, Trower in view of Kawamoto, and further in view of

Houser teaches the speech command interface system and method utilizing an interactive

animated character and featuring speech-initiated TV channel selection menus containing

program information, as applied to Claims 13, 15, 17, 37, 39, and 41. Trower in view of

Kawamoto, and further in view of Houser does not teach the ability to zoom in on a selected

channel, however Florin discloses a picture-in-picture window with the ability to jump to (zoom

in on) the channel displayed in the window *(Col. 17, Lines 41-59, voice command means, Col.*

12, Lines 59-67, and Figs. 20 and 21).

Trower, Kawamoto, Houser, and Florin are analogous art because they are from a similar

field of endeavor in speech controlled systems. Thus, it would have been obvious to a person of

ordinary skill in the art, at the time of invention, to combine the means of zooming in on a

channel feature in a picture-in-picture window as taught by Florin with the speech command

interface system and method utilizing an interactive animated character and featuring speech-

initiated TV channel selection menus containing program information as taught by Trower in

view of Kawamoto, and further in view of Houser to provide a convenient speech-enabled means

of previewing and accessing a selected television channel, thus increasing system functionality.

Therefore it would have been obvious to combine Florin with Trower in view of Kawamoto, and

further in view of Houser in order to provide a means to quickly jump between television

programs *(Florin, Col. 17, Lines 41-59)*.

13.   Claims 20 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower

et al in view of Kawamoto in view of Houser et al, further in view of Lumelsky et al, and yet

further in view of Ludwig et al *(U.S. Patent: 5,758,079)*.

With respect to Claims 20 and 44, Trower in view of Kawamoto in view of Houser, and

further in view of Lumelsky teaches the speech command interface system and method utilizing

an interactive animated character capable of accessing and synthesizing e-mail messages, as

applied to Claims 7 and 31. Trower in view of Kawamoto in view of Houser, and further in view

of Lumelsky does not specifically suggest displaying a new or incoming mail icon in response to

the acceptance of mail; however, Ludwig teaches an image that indicates the presence of a new

e-mail message *(dog having an envelope in its mouth, Col. 36, Lines 11-24)*.

Trower, Kawamoto, Houser, Lumelsky, and Ludwig are analogous art because they are

from a similar field of endeavor in interactive control systems. Thus, it would have been obvious

to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower

in view of Kawamoto in view of Houser and further in view of Lumelsky with the image that

indicates the presence of a new e-mail message as taught by Ludwig in order to enable quick

notification and access of an incoming e-mail message *(Ludwig, Col. 38, Lines 12-22)*.

14.   **Claims 21, 45, and 50-51** are rejected under 35 U.S.C. 103(a) as being unpatentable over

Trower et al in view of Kawamoto in view of Houser, and further in view of Iwamura et al *(U.S.*

Patent: 5,262,760).

With respect to **Claims 21 and 45,** Trower in view of Kawamoto and further in view of

Houser teaches the speech command interface system and method utilizing an interactive

animated character, as applied to Claims 1 and 25. Trower in view of Kawamoto and further in

view of Houser does not specifically suggest Kanji to Kana text conversion, however Iwamura

teaches such a kanji-kana conversion *(Col. 6, Line 61- Col. 7, Line 2).*

Trower, Kawamoto, Houser, and Iwamura are analogous art because they are from a

similar field of endeavor in interactive control systems. Thus, it would have been obvious to a

person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in

view of Kawamoto with the kanji-kana conversion means taught by Iwamura in order to provide

a user with the option of easily editing display graphics *(Iwamura, Col. 6, Line 57- Col. 7, Line*

2; and Col. 3, Lines 24-41).

Claims 50 and 51 contain subject matter similar to Claims 21 and 45, and thus, are

rejected for the same reasons.

Conclusion

15.   The prior art made of record and not relied upon is considered pertinent to applicant's
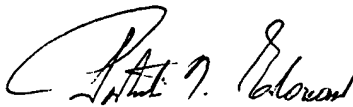
disclosure:

Marx et al (U.S. Patent: 6,173,266)- teaches the generation of an apology prompt in

response to a lack of a user response.

16.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632.

The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak
3/1/2007

PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER